

U. S. BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

**ROANOKE CALENDAR - SEPTEMBER 23, 2002**

(The Honorable William F. Stone, Jr. Presiding)

(Start: \_\_\_\_\_ Recess: \_\_\_\_\_ ♦ Resume: \_\_\_\_\_ Stop: \_\_\_\_\_ ♦ Trials: \_\_\_\_\_ Proceedings \_\_\_\_\_)

Attys:                      Debtors:    Case Nos.:                      Trustees:

**9:30 A. M. CHAPTER 13 CONFIRMATIONS**

M. Hart                      ANTOINETTE HARBOR - Ch. 13                      7-01-01799                      Connelly/S  
Mod Plan filed 8/7; d/e # 62, 63  
Motion of Trustee to Dismiss/Convert contd by ord of 9/5, d/e # 66 to hear w/plan

Krippend.                      GARY & MELISSA BOWER-ch13                      7-02-02820                      Connelly/SJ  
Plan filed 7/22, d/e # 13 with c/s  
Trustee Report and Showcause on Dismissal or conversion, filed 8/7; d/e # 15  
**–Note: Mod Plan filed 8/28, d/e # 17, with c/s all creditors & trustee (no new ntc of hrg issued)**

Delafield                      ARNOLD & DOREEN STOKES-                      7-02-02301                      Connelly/VS  
**---Mod. Plan filed 9/6–scheduled for conf 10/21 @ 9:30 a.m.**  
  
**Objection IRS to prior plan (Eckert) [d/e # 22] contd from 8/12 to file tax rets.**  
Trustee report, OBJECTION (to prior plan) & showcause: Dismiss/convert ; d/e # 15

Janney                      IRVIN & LAVERNE BASHAM - Ch. 13                      7-02-02811                      Connelly/VS  
Mod. Plan filed 7/22 w/cert. of serv. [d/e # 13]  
**Objection:** Chase Manhattan Bank (Sasser) [d/e # 17]; **Response filed by Debtors** [d/e # 20]  
Trustee w/Report & Show Cause on Dismissal or Conversion [d/e # 19]

Obj to Claim #1 filed by debtors : Tico Credit, filed 7/23; d/e # 14

Obj to Claim #4 of Debtors: Litton Loan Servicing [d/e # 21]

**9:30 A. M. CHAPTER 13 CONFIRMATIONS**

M. Hart	DENNA WALKER - Ch. 13 Mod Plan filed 7/29; d/e # 20, 21	7-02-02044	Connelly/SO
	<p>Objs of creditor &amp; Trustee, below, to prior plan contd from 7/29: <b>Objection:</b> Mortgage Electronic Registration Systems, Inc. (Christine Patterson), d/e #15 Trustee's Report w/Show Cause on Dismissal [d/e # 17]</p> <p>Debtor's Motion to Suspend Plan Payments [d/e # 22]</p>		
Krippend.	SARA SMITH-ch13 <i>---Mod Plan filed 8/30, d/e # 33 &amp; conf set 10/21 @ 9:30</i> Trustee Obj to prior plan and Show Cause on Dismissal [d/e # 14] <i>contd fr 7/29</i>	7-02-01109	Connelly/JM
	<p>Motion #1: Relief - filed 8/19, d/e # 26, 27 Countrywide Home Loans (Sasser) v. debtor &amp; trustee <i>---Agreed Order entered 9/17 denying relief w/stipulations for default</i></p>		
Proctor	SANDRA DUNCAN-ch13 Mod Plan filed 7/29, d/e # 64, 65	7-99-04185	Connelly/SL
Delafield	ROY & LORI HUFFMAN-ch13 Mod. Plan filed 8/5 [d/e # 23, 24] c/s - 8/15, d/e # 32) <i>---debtors appearance waived IF can be confirmed..</i> Trustee showcause: dismissal or conversion filed 7/25 d/e#19 <i>contd from 8/26</i>	7-02-02519	Connelly/VS
Krippendorf	STEPHEN & DAWN KEATON - Ch. 13 Mod. Plan filed 7/31 [d/e # 52]	7-02-00056	Connelly/JJ

**9:30 A. M. CHAPTER 13 CONFIRMATIONS**

M Giles      WILLIS & LOUISE MONROE      7-02-01621      Connelly/VS  
Mod Plan filed 7/30; d/e # 28, 29

Motion of Trustee to Dismiss case and Obj of IRS to (prior) plan contd from 7/29

Pro Se      LINDA & ROBERT FERRELL - Ch. 13      7-02-02821      Connelly/VS  
Plan filed 7/22; d/e #16, 17  
**Objection:** Trustee w/Report and Show Cause on Dismissal or Conversion [d/e # 18]  
Trustee filed Supplemental Report and Showcause: Dismiss/convert on 9/5[d/e # 22]  
**Case dismissed by Order of 9/12 on Debtors' Motion** [d/e # 24]

**9:30 A. M. CHAPTER 13 CONFIRMATIONS**

Bowman      KIM PERKINS –*recusal from RWK*      7-01-04818      Connelly/AF  
Mod Plan filed 6/28 d/e # 72, 73 - *contd from 8/26* d/e # 80, to 9:30  
Contd hearing on Trustee's Report & Showcause filed 2/7 *contd fr 8/26 to 9:30\**  
(*note: d/e # 91, ord of 9/5; contd trustee's showcause to 11:00 a.m \**.)

**Objections :** City of Roanoke (Collins) [d/e # 69] ***no appearance on 8/26***  
Elizabeth Perkins (Foster) filed 6/28; d/e # 71 ***taken under advisement***  
***w/mot to file late claim heard 8/26***  
First Union Natl Bk(Mason) filed 4/8; d/e # 49 ; ***resolved @ 8/26 hrg***  
***w/M2&M3***

–*see also Cont. Conf in Muse, #7-02-00509, contd fr 8/26, set at 11:00 a.m. w/relief motion*

**11:00 A. M. - CHAPTER 13 CONFIRMATION**

Delafield      RAYMOND & SHUNTRA MUSE - Ch. 13      7-02–00509      Connelly/LM  
Mod Plan filed 6/21, d/e # 37

Motion # 1: Relief [d/e # 41]  
Fairbanks Capital Corp. (Clarke/Callahan ) v. Debtor & Trustee  
**Answer filed 8/9, d/e # 43**

**11:00 A. M. - MISCELLANEOUS HEARINGS**

Delafield      CASSANDRA COLES-      7-99-00078      Connelly/AF  
Motion of Trustee to dismiss, filed 10/26, d/e #39; **contd fr 11/28 , 6/10 & 7/8 for status**

Krippendorf      SHERMAN SCEARLES - Ch. 13      7-01-04203      Connelly/MC  
Motion # 1 Relief (*cont'd from 8/12 docket*)  
Fairbanks Capital Corp. (Clarke) v. Debtor  
Response of debtor (Janney) filed 7/24, d/e # 37

H. Brown      DANIEL & MARGARET ANDREWS - Ch. 13      7-00-04221      Connelly/VS  
Motion #3: Relief–filed 7/12 [d/e # 91]  
Fairbanks Capital Corporation (Goldberg/Callahan) v. Debtors & Trustee  
ANSWER filed by Debtors 7/23 [d/e # 95] - contd from 8/26

M. Giles      SAMUEL & WANDA JENNINGS - Ch. 13      7-01-03469      Connelly/JJ  
Motion # 1: Relief filed 8/2 [d/e # 38]  
EQCC Home Equity 2001-02 (Goldberg/Callahan) v. Debtors  
RESPONSE filed by Debtors 8/13 [d/e # 42]  
*–proposed order in motion file ; contd from 8/26*

P. Brown      SAMUEL & PATRICIA JENNINGS - CH. 13      7-01-01693      Connelly/MC  
Motion # 1: Relief filed 8/7 [d/e # 28, 29 ]  
First Boston (Clark/Callahan ) v. Debtors & Trustee [d/e # 28]  
ANSWER filed by Debtors [d/e # 30] ; contd from 8/26

**11:00 A. M. - MISCELLANEOUS HEARINGS**

M Hart	KATHRYN THOMPSON-chl3	7-00-03116	Connelly/JJ
	Motion #1: Relief - filed 8/23; d/e # 22, 23, 24 Ford Motor Credit co (Laura Hale) v. debtor & trustee <u>Response filed 9/6, d/e # 25</u>		
P Brown	AUDWIN & CYNTHIA ANDERSON-chl3	7-02-00657	Connelly/NS
	Motion #2: Relief - filed 8/26; d/e # 35, 36, 37 Citifinancial Mortgage (Zimm) v debtors & trustee <u>Answer of Respoident filed 8/29, d/e # 38</u>		
Delafield	JOHN CHAMBERS SR	7-01-05211	Connelly/VS
	Motion #2: relief <u>and co-debtor relief</u> - filed 8/26; d/e # 42, 44 First Union natinal Bank Delaware (S. Wood) v debtor <u>and</u> Judy A Chambers, co-debtor, and trustee Interrogatories & Request for Production of Documents [d/e # 46] ANSWER of Respondent filed 8/30 [d/e # 47] <b><i>Exhibit List filed 9/6; d/e # 48</i></b>		
Hatch	EDNA NEWCOMB-CH7	7-02-02572	McLean/SJ
	Motion #1: Relief - filed 8/28; d/e # 13, 14 Wells Fargo Home Mortgage (Sasser) v. debtor & trustee		
Copeland	NAVARO MINING INC-ch7	7-97-00332	Creasy/SJ
	Motion for Allowance/Payment of Ch 7 Expenses filed by John Kieffer, Esq. On behalf of Trustees of UMWQA 1992 Benefit Plan in amount of \$150, 597.69 and Trustees of the Combined Benefit Fund iin amt of \$12, 147.81		
P. Brown	MELISSA FOLEY - Ch. 13	7-99-03157	Connelly/NS
	Motion # 1: Relief filed 9/3 [d/e # 27] Bank of America, NA (Zimm) v. Debtor & Trustee ANSWER filed by Debtor [d/e # 33]		

**11:00 A. M. - MISCELLANEOUS HEARINGS**

Giles	GARY & DEBORAH SNEAD - Ch. 13	7-02-02378	Connelly/AF
	Motion # 1: Relief [d/e # 22]		
	Conseco Finance Corp. (McQuiddy) v. Debtors & Trustee		

Pro Se	MARGARET KRACK - Ch. 13	7-02-03478	Connelly/AF
	Trustee's Motion to Dismiss Case for a period of 180 days [d/e # 11]		

**2:00 P.M. - PRETRIAL CONFERENCES**

Copeland	COVER GIRL SEEDING INC-ch7	7-00-01332	Callahan
	A/P 7-02-00045: Final P-trial: Recover preferential transf; <i>contd by agr to Rke fr 7/8 cal</i>		
	Wm. E. Callahan Jr. (Scott) v. Caudill Seed Company(Fleischhauer)		S

Creasy	ALLEN HAM, JR. - Ch. 7	7-02-01761	Allen
	A/P 7-02-00102: Object to or revoke a discharge		
	Evie & Robert Shura (Nixon) v. American Appraisal Group, Inc. (Creasy)		

A/P 7-02-00103: Object to or revoke a discharge  
Evie & Robert Shura (Nixon) v. Debtor

**2:00 P.M. - MISCELLANEOUS**

Spencer	LORENDA DICKENS-ch7	7-02-00927	Krippend/NS
	Motion of Debtors to Reinstate Case filed 8/16; d/e # 30		
P Brown	ROBERT & TINA THOMPSON-ch7	7-02-02941	Allen/VS
	Motion # 2: Relief - filed 8/26; d/e # 16, 18		
	DaimlerChrysler Services NA LLC (Higgs) v. debtors & Trustee		
	<b>–ORDER of 9/5 (agreed) granted relief</b>		
Delafield*	LUCILLE HOLLAND-ch7	7-01-05369	Creasy/JJ
	Motion of Trustee for Order requiring debtor and/or Dinah Fultz to pay remaining		
	unpaid purchase money in sum of \$9,200 to Trustee for benefit of estate, filed 7/9, d/e 30		
	–Amended motion filed 7/10; d/e # 31, 38		
	<b>*Note: D. Stark filed Notice of Appearance in Contested Matter only to represent</b>		
	<b>debtor ;contd fro 8/26</b>		
	Motion to Dismiss Darren T. Delafield as counsel of record for debtor (response if any,		
	due 20 days from notice of 8/22 , absent which Order may be entered without further		
	hearing)		
M Black	CRAIG S. CROPP-ch7	7-01-00985*	Callahan/SL
	Motion of USA/IRS (Eckert) for order compelling debtor to file tax return - filed 2/19		
	d/e # 47; *Abg case scheduled in Rke by agreement of court & counsel;		
	--contd fr 4/15 & 5/13 & 7/29 ; d/e # 61		

**2:00 P.M. - MISCELLANEOUS**

P. Brown      KENNETH & CATHERINE BANKS - Ch. 7      7-02-02546      Allen/JJ  
Motion # 1: Relief filed 8/2 [d/e # 13]  
Principal Residential Mortgage, Inc. (Zimm) v. Debtors & Trustee  
ANSWER filed by Debtors 8/6 [d/e # 16]; contd from 8/26

M Giles      LEONARD LOBIK-ch7      7-01-05165      Vogel/SL  
Obj to Claim #1 of MBNA America Bank NA in amt of \$17,484.87 filed by  
Trustee on 8/28, d/e # 32  
***Amended—setting hearing on 10/21 @ 2:00 p.m.***  
  
Obj to Claim #2 of National City Mortgage in amt of \$107,615.80 filed by  
Trustee on 8/28; d/e # 33  
***Amended—setting hearing on 10/21 @ 2:00 p.m.***

Westerman      RBX CORPORATION - Ch. 11      7-01-00436      DIP/JJ  
Ackley      Debtor's Objection to Claim # **1143** of Ohio EPA [d/e # **1498**]  
Objection to Claims: contd fr 7/29  
#1216: Dale Dorsey; (Laatsch/C.Allen); d/e #**1424**  
#1217: Dale Dorsey (M.Laatsch/C.Allen) d/e # **1425**  
RESPONSE filed by Dale & Barbara Dorsey (Laatsch/C.Allen) [d/e # 1449]

Shelor      ROY & TRESSIE BYRNES - CH. 7      7-02-02803      Vogel/MC  
Trustee's Motion to Sell Debtors' Real Estate [d/e # 13]  
  
Trustee's Objection to Claim of Exemptions [d/e # 14]  
  
Trustee's Motion to Employ George I. Vogel as attorney for Trustee [d/e # 15]

M. Giles      KATHLEEN BLANKINSHIP - Ch. 7      7-02-01917      Krippendorf/NS  
Trustee's Objection to Debtor's Claim of Exemptions [d/e # 24]



**2:00 P.M. - MISCELLANEOUS**

M Giles      DENNIS BOLEY-ch7      7-02-02845      Creasy/SL  
Motion #1: Relief - filed 8/27; d/e # 112, 12,  
Wells Fargo Home Mortgage Inc (Sasser) v. debtor & trustee

P Brown      FLORENCE AMOS-ch7      7-02-02948      Allen/AF  
Motion #1: Relief - filed 8/28; d/e # 14, 15  
First Union National Bank of Delaware (Christine Patterson) v. debtor & trustee  
Answer of debtor filed 8/29, d/e # 16

Magee      INNOVATIVE DESIGN & MACHINE  
CONTROLS INC-chll      7-02-02078      DIP/AF  
Motion of Debtor and DIP (Grant) for Order Approving Conversion of Chapter 11  
to Chapter 7, filed 7/25, d/e # 45, *contd from 7/29 & 8/15*  
  
Status Hearing - contd from 9/9 [d/e # 63]

Marino      DHS OF VIRGINIA, LP - Ch. 11      7-02-02717      DIP/NS  
Motion to Employ Professional Person, Roy V. Creasy, Esq., as  
Attorney for Trustee [d/e # 26]  
OBJECTION filed by U. S. Trustee (Garber) [d/e # 30]  
*-contd from 8/26*  
*-SECOND AMENDED filed 9/17 [d/e 38]*  
  
Motion to Employ (Richard Maxwell) Woods, Rogers & Hazlegrove as Atty. For Trustee  
[d/e # 27]  
OBJECTION by U. S. Trustee (Garber) [d/e # 31]  
*-contd from 8/26*

**2:30 P.M. - MISCELLANEOUS**

Krippendorf   FLOYD ROBERT GRIFFITH-ch7                      7-02-01494                      Vogel/S  
§707(b) Motion of U.S.Trustee to Dismiss (Garber) [d/e # 18] and d/e # 20  
— reserved P.M. for evidentiary hearing  
Response of Debtor to UST Motion to Dismiss filed 7/22 [d/e # 20]